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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/602,740	06/23/2000	Markus Pompejus	BBI-126CP

CONFIRMATION NO. 1632

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

FORMALITIES LETTER



OC000000005990084

07/09/2001 NPRASASO 00000018 09602740

01 FC:104
02 FC:103

270.00 OP
432.00 OP

Date Mailed: 04/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1368.
 - \$432 for 24 total claims over 20.
 - \$936 for 12 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2188.**

A copy of this notice **MUST** be returned with the reply.

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Adjustment date: 07/09/2001 NPRASASO
06/27/2001 NYUSUF1 00000013 09602740
04 FC:104 -270.00 OP

Adjustment date: 07/09/2001 NPRASASO
06/27/2001 NYUSUF1 00000013 09602740
03 FC:103 -702.00 OP

Repln. Ref: 07/09/2001 NPRASASO 0010131100
DAH:120080 Name/Number:09602740
FC: 704 \$270.00 CR

06/27/2001 NYUSUF1 00000013 09602740
01 FC:101 710.00 OP
02 FC:102 960.00 OP
03 FC:103 702.00 OP
04 FC:104 270.00 OP
05 FC:105 130.00 OP



#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus *et al.***Serial No.:** 09/602,740**Filed:** June 23, 2000**For:** "*Corynebacterium glutamicum Genes Encoding Proteins Involved in Carbon Metabolism and Energy Production*"**Attorney Docket No.:** BGI-126CP**Group Art Unit:** 1652**Examiner:** K. Kerr

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

June 20, 2001

Date of Signature and of Mail Deposit

By:

Elizabeth A. Hanley, Esq.
Reg. No. 33,505
Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Dear Sir:

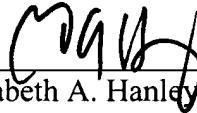
Responsive to the Notice to File Missing Parts of Nonprovisional Application dated April 20, 2001, Applicants submit herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$2,772.00 is enclosed to cover the total amount owed by Applicants, including \$130.00 surcharge, \$710.00 basic filing fee, \$1,662.00 additional claim fee, and \$270.00 multiple dependent claim fee, based on large entity status. A copy of the Formalities Letter is also enclosed.

Applicants' attorney notes that the claim fee calculation in the Formalities Letter is incorrect. We calculate **39** total claims over 20, and **12** independent claims over 3. The Formalities Letter also omits the \$270.00 multiple dependent claim charge.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



Elizabeth A. Hanley, Esq.
Registration No. 33,505
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: **June 20, 2001**



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* Admitted in NY only
*** Passed the Patent Bar Examination

June 20, 2001

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/602,740
Filed: June 23, 2000
Entitled: Corynebacterium Glutamicum Genes Encoding Proteins
Involved in Carbon Metabolism and Energy Production
Inventors: Markus Pompejus *et al.*
Our Reference: BGI-126CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney for Patent Application;
3. Copy of Formalities Letter;
4. Check for \$2,772.00 (including \$710 filing fee, \$1,662 extra claim fee,
5. \$270 multiple dependent claim fee, and \$130 surcharge); and
6. Acknowledgement postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

June 20, 2001

Date

Elizabeth A. Hanley, Esq., Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Elizabeth A. Hanley, Esq.
Reg. No. 33,505